

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In re: )  
)  
EAGLE PROPERTIES AND ) Bankruptcy Case  
INVESTMENTS, LLC, ) No. 23-10566-KHK  
) Chapter 7  
Debtor. )  
\_\_\_\_\_ )

**ORDER APPROVING SALE OF 7939 RIDER LANE, HUMMELSTOWN, PA  
FREE AND CLEAR OF LIENS, CLAIMS AND INTERESTS  
PURSUANT TO 11 U.S.C. § 363(f)**

UPON CONSIDERATION of the motion (Docket No. 458) (“Motion”) of H. Jason Gold, chapter 7 trustee (“Trustee”), to approve the sale of the property commonly known as 7939 Rider Lane, Hummelstown, PA (“Property”); and it appearing that proper and adequate notice of the Motion has been given and that no further notice is necessary; and it appearing that the sale of the Property as set forth in the Motion is in the best interest of the estate and its creditors, and it further appearing that based upon the endorsements of counsel set forth below that Fulton Bank, N.A. and Bala Jain, LLC have consented to the sale of the Property as set forth herein, free and clear of all liens, claims and interests, accordingly:

**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED.
2. The Trustee is authorized to sell the Property<sup>1</sup> to Vannak Chim and Vuochleang

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<sup>1</sup> Having the following legal description:

The following described real estate, situated in Dauphin County, Commonwealth of Pennsylvania, to wit:

Dylan G. Trache, Va. Bar No. 45939  
NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, Suite 900  
Washington, DC 20001  
(202) 689-2800  
*Counsel to the Chapter 7 Trustee*  
GFRDOCS\42372\149975\10886131.v2-5/17/24

(the "Purchaser") for \$340,000.00 consistent with the sales contract attached to the Motion as Exhibit A.

3. The Trustee is authorized to pay the secured claim of Fulton Bank, N.A. in full at closing, including the payment of attorney's fees in the amount of \$20,000.00 as set forth in the draft ALTA attached hereto as Exhibit A ("ALTA"), and the consent of Fulton Bank, N.A. to the sale is conditioned on such receipt.

4. At closing, the Trustee shall receive, for the benefit of the estate the sum of \$10,200.00 representing his commission under Section 326 of the Bankruptcy Code plus \$17,000.00 as additional consideration for the bankruptcy estate free and clear of all liens, claims and interests.

5. The Trustee is authorized to pay a three percent (3%) commission to his broker Century 21 New Millennium at closing for services rendered in representing the Trustee in connection with the sale.

6. The Trustee is authorized to pay a two-and-a-half percent (2.5%) commission to Keller Williams Elite at closing for services rendered in representing the Purchaser in connection with the sale.

7. The Trustee is authorized to pay all outstanding real estate taxes and other

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Bounded and described as follows, to wit: Beginning at a stake on the Southern Line of Rider Lane, said point being 394.58 feet from the Southeastern corner of the intersection between Rider Lane and Pennsylvania Route 39 measured in a Westerly direction; Thence extending along the Southern line of Rider Lane North 86 Degrees 13 Minutes East 100 Feet to a stake on said line; Thence extending South 3 Degrees 47 Minutes East, 150 Feet along the diving line between Lots Nos. 5 and 6 on the hereinafter mentioned plan of lots to a stake on said line; Thence extending South 86 Degrees 13 Minutes West along property now or formerly of Elmer R. Yeager 100 Feet to a stake on the dividing line between Lots Nos. 4 and 5 on the hereinafter mentioned plan of lots; Thence extending North 3 Degrees 47 Minutes West 150 Feet along said line to a stake, the place of beginning. Being Lot No. 5, Section A, Sky-Crest Development, recorded in the Dauphin County Recorder of Deeds Office in Plan Book L-2, Page 37. Said property being known for purposes of assessment and taxation purposes as Property Identification No. 68-030-056-000-0000.

customary closing costs consistent with the ALTA.

8. The Trustee is authorized to reimburse Auction Markets, LLC at closing in an amount not to exceed \$1,000.00 for any utility and property preservation expenses as needed.

9. An additional \$5,000.00 shall be held in escrow by the Trustee in a segregated account pending further agreement among Bala Jain, Fulton Bank, N.A. and the Trustee or further order of the Court to be paid either to Fulton Bank in satisfaction of its claim for attorney's fees or to the estate to be included with the funds described in paragraph 10 hereof. If the parties are in agreement with respect to the disposition of these funds, no further order shall be required.

10. All remaining net proceeds of sale shall be held by the Trustee pending resolution of the claims of Bala Jain, LLC and further order of this Court.

11. The Trustee is authorized to request and receive all information concerning the liens and debt held by any secured creditor necessary to close on the sale including but not limited to the loan payoff balance, proof of lien perfection, hazard insurance coverage, escrow account balance and other information. Secured creditors are authorized and directed to promptly provide said information to the Trustee upon request of the Trustee, subject to the right of any secured creditor to oppose the request.

12. This Order may be recorded in the land records wherein the subject Property is located.

13. This Court retains jurisdiction with respect to any disputes regarding the Property following the sale.

14. This Order shall be effective immediately and shall not be subject to the stay provided in Federal Rule of Bankruptcy Procedure 6004(h) or any other applicable stay.

Dated: Jun 24 2024

/s/ Klinette H Kindred  
United States Bankruptcy Judge

PREPARED BY:

NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, NW, Suite 900  
Washington, DC 20001  
Tel: (202) 689-2800  
Fax: (202) 689-2860  
Email: [dylan.trache@nelsonmullins.com](mailto:dylan.trache@nelsonmullins.com)

By: /s/ Dylan G. Trache  
Dylan G. Trache, Va. Bar No. 45939

*Counsel to the Chapter 7 Trustee*

SEEN AND AGREED:

GORDON FEINBLATT LLC  
1001 Fleet Street, Suite 700  
Baltimore, Maryland 21202  
Phone/Fax No. (410) 576-4194  
E-mail: [dmusgrave@gfrlaw.com](mailto:dmusgrave@gfrlaw.com)

BY: /s/David S. Musgrave (by DGT with authority)  
David S. Musgrave (Bar No. 35327)

*Attorneys for Fulton Bank, N.A.*

SEEN:

ROGAN MILLER ZIMMERMAN, PLLC  
50 Catoctin Circle, NE, Suite 300  
Leesburg, Virginia 20176  
Phone No. (703) 777-8850  
Fax No: (703) 777-8854  
E-mail: [crogan@RMZLawFirm.com](mailto:crogan@RMZLawFirm.com)

BY: /s/Christopher L. Rogan (by DGT with authority)  
Christopher L. Rogan (Bar No. 30344)

*Attorneys for Bala Jain, LLC*

**CERTIFICATION PURSUANT TO LOCAL RULE 9022-1(C)**

I HEREBY CERTIFY that this Order has been endorsed by all necessary parties.

/s/ Dylan G. Trache

Dylan G. Trache

**LIST OF PARTIES TO RECEIVE NOTICE OF ENTRY  
PURSUANT TO LOCAL RULE 9022-1**

Dylan G. Trache  
NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, NW, Suite 900  
Washington, DC 20001

Michael Freeman  
OFFICE OF THE UNITED STATES TRUSTEE  
1725 Duke Street, Suite 650  
Alexandria, Virginia 22314

Stephen Karbelk  
Team Leader, RealMarkets  
Century 21 New Millennium  
Century 21 Commercial New Millennium  
6629 Old Dominion Drive  
McLean, VA 22101

David S. Musgrave  
GORDON FEINBLATT LLC  
1001 Fleet Street, Suite 700  
Baltimore, MD 21202

Christopher Rogan  
ROGAN MILLER ZIMMERMAN, PLLC  
50 Catocin Circle, NE, Suite 300  
Leesburg, Virginia 20176

**Exhibit A**

American Land Title Association

Estimated ALTA Settlement Statement - Combined

Adopted 05-01-2015

**Universal Settlement Services of PA**

**ALTA Universal ID:**

**1423 N Atherton Street**

**2nd Floor**

**State College, PA 16803**

File No./Escrow No. : PA-24-1260  
Print Date & Time: June 19, 2024 3:54 pm  
Officer/Escrow Officer : Brandy McAulay  
Settlement Location : 1423 N Atherton Street, 2nd Floor  
State College, PA 16803

Property Address: 7939 Rider Lane  
Hummelstown, PA 17036

Borrower: Vannak Chim and Vuochleang Ea  
1322 East Caracas Avenue  
Hershey, PA 17033

Seller: H. Jason Gold, Chapter 7 Bankruptcy Trustee of the Bankruptcy Estate of Eagle  
Properties and Investments LLC  
445 Windover Avenue NW  
Vienna, VA 22180

Lender: NFM, Inc. dba NFM Lending and/or the Department of Housing and Urban Development,  
ISAOA/ATIMA

Settlement Date: June 24, 2024

Disbursement Date: June 24, 2024

Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		<b>Financial</b>		
	340,000.00	Sale Price of Property	340,000.00	
		Deposit		10,000.00
		Loan Amount		333,841.00
1,000.00		Seller Credit		1,000.00
		<b>Prorations/Adjustments</b>		
	470.14	City/Town Taxes 06/24/24 - 12/31/24	470.14	
	35.19	Assessments 06/24/24 - 06/30/24	35.19	
		<b>Other Loan Charges</b>		
		Title Binder and Policy to RL Title and Escrow, Inc.	225.00	
		Title Search to RL Title and Escrow, Inc.	110.00	
		<b>Title Charges and Escrow/Settlement Charges</b>		

Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		<b>Title Charges and Escrow/Settlement Charges (continued)</b>		
		CPL to Fidelity National Title Insurance Company	125.00	
		Lender's Title Insurance to Universal Settlement Services of PA Coverage: 333,841.00 Disclosed Premium: 2,358.80	2,358.80	
		TIRBOP Endorsement 100 (Covenants, Conditions and Restrictions) to Universal Settlement Services of PA	100.00	
		TIRBOP Endorsement 300 (Mortgage Survey Exception) to Universal Settlement Services of PA	100.00	
		TIRBOP Endorsement 900 (Environmental Protection Lien - Residential) to Universal Settlement Services of PA	100.00	
2.00		Lien Cert Fee to Universal Settlement Services of PA		
		Owner's Title Insurance to Universal Settlement Services of PA Coverage: 340,000.00 Disclosed Premium: 34.20	34.20	
55.00		Tax Cert Fee to Universal Settlement Services of PA		
		<b>Commissions</b>		
10,200.00		Commission - Listing Agent to Century 21 New Millennium		
8,500.00		Commission - Selling Agent to Keller Williams Elite		
		<b>Government Recording and Transfer Charges</b>		
		Recording Fees to Dauphin County Recorder of Deeds	307.50	
1,700.00		Transfer Tax to Dauphin County Recorder of Deeds	1,700.00	
1,700.00		Transfer Tax to Dauphin County Recorder of Deeds	1,700.00	
		<b>Payoff(s)</b>		
226,948.03		Payoff of First Mortgage Loan to Fulton Bank Loan Payoff 205,814.63 Additional Interest From: 1,133.40 05/01/24 Through: 06/24/24 @ 18.890000 Per Diem plus 6 Extra Days Legal Fees 20,000.00 Total Payoff <u>226,948.03</u>		
		<b>Miscellaneous</b>		



Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		<b>Miscellaneous (continued)</b>		
919.28		2024 County/Township Taxes/good thru 6/30/24 to West Hanover Township		
10,200.00		326(a) Trustee Commission to H. Jason Gold, Bankruptcy Trustee		
		Attorney Title Exam Fee to RL Title and Escrow, Inc.	150.00	
17,000.00		Bankruptcy Estate Payment to H. Jason Gold, Bankruptcy Trustee		
8,947.24		delinquent taxes/good thru 5/31/24 to Dauphin County Tax Claim		
1,000.00		Expense Reimbursement to Auction Markets LLC		
5,000.00		Funds held by Bankruptcy Estate to H. Jason Gold, Bankruptcy Trustee		
150.00		Settlement and Closing Fee to RL Title and Escrow, Inc.		
		Settlement and Closing Fee to RL Title and Escrow, Inc.	895.00	
Seller			Borrower	
Debit	Credit		Debit	Credit
293,321.55	340,505.33	<b>Subtotals</b>	348,410.83	344,841.00
		<b>Due from Borrower</b>		3,569.83
47,183.78		<b>Due to Seller</b>		
340,505.33	340,505.33	<b>Totals</b>	348,410.83	348,410.83

In re:  
Eagle Properties and Investments LLC  
Debtor

Case No. 23-10566-KHK  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0422-9  
Date Rcvd: Jun 24, 2024

User: TaiGlennB  
Form ID: pdford11

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Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 26, 2024:

Recip ID	Recipient Name and Address
RE	+ Stephen Karbelk, Team Leader, RealMarkets, Century 21 New Millennium, 6629 Old Dominion Dr, McLean, VA 22101-4516

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	+ Email/Text: ustpregion04.ax.ecf@usdoj.gov	Jun 25 2024 00:45:00	UST smg Alexandria, Office of the U. S. Trustee, 1725 Duke Street, Suite 650, Alexandria, VA 22314-3489
prof	Email/Text: stephen@realmarkets.com	Jun 25 2024 00:44:00	Stephen Karbelk, Team Leader, RealMarkets, Century 21 New Millennium, 20405 Exchange St, Suite 221, Ashburn, VA 20147

TOTAL: 2

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 26, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 24, 2024 at the address(es) listed below:

Name	Email Address
Andrew S Goldstein	on behalf of Creditor GITSIT Solutions LLC AGoldstein@mglspc.com, jcoffman@mglspc.com
Barry W. Spear	on behalf of Creditor Aero Mortgage Loan Trust 2019- 1 Barry.Spear@bww-law.com bankruptcy@bww-law.com

District/off: 0422-9  
Date Rcvd: Jun 24, 2024

User: TaiGlennB  
Form ID: pdford11

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Total Noticed: 3

Bradley J. Swallow	on behalf of Defendant Main Street Bank bswallow@fblaw.com
Christian K. Vogel	on behalf of Interested Party Primis Bank kvogel@vogelandcromwell.com
Christian K. Vogel	on behalf of Defendant Primis Bank f/k/a Sona Bank kvogel@vogelandcromwell.com
Christopher A. Jones	on behalf of Debtor Eagle Properties and Investments LLC cajones@whitefordlaw.com clano@whitefordlaw.com,dchaney@whitefordlaw.com
Christopher L. Rogan	on behalf of Defendant Shail Butani crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Creditor Bala Jain LLC crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Defendant Ishwer Butani crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Defendant Bala Jain LLC crogan@rmzlawfirm.com
Corey Simpson Booker	on behalf of Creditor Atlantic Union Bank corey.booker@atlanticunionbank.com
Craig M. Palik	on behalf of Creditor Trinity Universal Insurance Company cpalik@mhlawyers.com cpalik@yahoo.com;dmoorehead@mhlawyers.com;cpalik@ecf.inforuptcy.com;kmadden@mhlawyers.com;mnickerson@mhlawye rs.com
David S. Musgrave	on behalf of Creditor Fulton Bank N.A. dmusgrave@gfrlaw.com, vhilbun@gfrlaw.com
David S. Musgrave	on behalf of Defendant Fulton Financial Corporation dmusgrave@gfrlaw.com vhilbun@gfrlaw.com
Dylan G. Trache	on behalf of Trustee H. Jason Gold dylan.trache@nelsonmullins.com linnea.hann@nelsonmullins.com;alexandria.tracy@nelsonmullins.com;mari.cooper@nelsonmullins.com
Elizabeth Husebo	on behalf of Defendant Daniel J. Kotz ehusebo@grsm.com
Elizabeth Husebo	on behalf of Defendant First Class Title Inc. ehusebo@grsm.com
Erik W. Fox	on behalf of Creditor Vienna Oaks Office Center Condominium efox@reesbroome.com rhurley@reesbroome.com;rchambers@reesbroome.com;pgoodwine@reesbroome.com
Gerard R. Vetter	ustpreion04.ax.ecf@usdoj.gov
H. Jason Gold	goldtrustee@fiduciaryservicesgroup.com VA19@ecfbis.com;hjc@trustesolutions.net;lgrahl@fsscommerce.com
Hannah White Hutman	on behalf of Creditor Bank of Clarke County hhutman@hooverpenrod.com scurtis@hooverpenrod.com;hooverpenrodplc@jubileebk.net
J. P. McGuire Boyd, Jr	on behalf of Defendant Atlantic Union Bank mboyd@williamsmullen.com
J. P. McGuire Boyd, Jr	on behalf of Creditor Atlantic Union Bank mboyd@williamsmullen.com
J. P. McGuire Boyd, Jr	on behalf of Defendant Bank of Clarke County mboyd@williamsmullen.com
Jack Frankel	on behalf of U.S. Trustee Gerard R. Vetter jack.i.frankel@usdoj.gov USTPRegion04.ax.ecf@usdoj.gov;Robert.W.Ours@usdoj.gov
James R. Meizanis, Jr.	on behalf of Creditor Virginia Partners Bank jmeizanis@bklawva.com jroot@bklawva.com;mnoble@bklawva.com
Jeffery T. Martin, Jr.	on behalf of Debtor Eagle Properties and Investments LLC jeff@martinlawgroupva.com martin.jefferyt.b119228@notify.bestcase.com;brittany@martinlawgroupva.com

District/off: 0422-9

User: TaiGlennB

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Date Rcvd: Jun 24, 2024

Form ID: pdford11

Total Noticed: 3

Jeffery T. Martin, Jr.

on behalf of Plaintiff Eagle Properties and Investments LLC jeff@martinlawgroupva.com  
martin.jefferyt.b119228@notify.bestcase.com;brittany@martinlawgroupva.com

Jeffery T. Martin, Jr.

on behalf of Counter-Defendant Eagle Properties and Investments LLC jeff@martinlawgroupva.com  
martin.jefferyt.b119228@notify.bestcase.com;brittany@martinlawgroupva.com

Jeremy B. Root

on behalf of Creditor Virginia Partners Bank jroot@bklawva.com  
tjones@bklawva.com;mnoble@bklawva.com;wcasterlinejr@bklawva.com;jmeizanis@bklawva.com

John E Reid

on behalf of Debtor Eagle Properties and Investments LLC jack@martinlawgroup.com jack@martinlawgroupva.com

John Tucker Farnum

on behalf of Interested Party SC&H Group jfarnum@milesstockbridge.com  
jfarnumecfnotices@gmail.com;dbernard@milesstockbridge.com

Joshua David Stiff

on behalf of Debtor Eagle Properties and Investments LLC jstiff@wtplaw.com eslate@wtplaw.com;dchaney@whitefordlaw.com

Justin Fasano

on behalf of Creditor Gus Goldsmith jfasano@mhlawyers.com  
jfasanoecf@gmail.com;jfasano@ecf.courtdrive.com;sshin@mhlawyers.com;dmoorehead@mhlawyers.com

Lee S Raphael

on behalf of Creditor Gitsit Solutions LLC ecf1@ecf.courtdrive.com, cmartin@pralc.com

Maurice Belmont VerStandig

on behalf of Professional Maurice VerStandig mac@mbvesq.com  
lisa@mbvesq.com;verstandig.mauricer104982@notify.bestcase.com;verstandiglaw@recap.email

Nancy Greene

on behalf of Debtor Eagle Properties and Investments LLC ndg@ndglaw.com

Nancy Greene

on behalf of Plaintiff Eagle Properties and Investments LLC ndg@ndglaw.com

Nancy Greene

on behalf of Professional N D Greene PC ndg@ndglaw.com

Richard E. Hagerty

on behalf of Defendant Navy Federal Financial Group LLC richard.hagerty@troutmansanders.com,  
sharron.fay@troutmansanders.com;natalya.diamond@troutman.com

Robert Hockenbury

on behalf of Creditor Shore United Bank robert.hockenbury@wbd-us.com

Robert M. Marino

on behalf of Defendant Shail Butani rmmarino@rpb-law.com rmmarino1@aol.com

Robert M. Marino

on behalf of Defendant Ishwer Butani rmmarino@rpb-law.com rmmarino1@aol.com

Robert M. Marino

on behalf of Creditor Bala Jain LLC rmmarino@rpb-law.com rmmarino1@aol.com

Stephanie Gardner Bortnick

on behalf of Defendant Daniel Kotz sbortnick@grsm.com

Stephanie Gardner Bortnick

on behalf of Defendant Daniel J. Kotz sbortnick@grsm.com

Stephanie Gardner Bortnick

on behalf of Defendant First Class Title Inc. sbortnick@grsm.com

Stephen W. Nichols

on behalf of Creditor Orrstown Bank snichols@offitkurman.com

TOTAL: 48